
Central Valley Regional Water Quality Control Board

1 June 2021

Miguel Aguirre
San Joaquin County Department of Public Works
1810 E. Hazleton Avenue
Stockton, CA 95205

NOTICE OF APPLICABILITY; GENERAL SECTION 401 WATER QUALITY CERTIFICATION ORDER REQUIREMENTS FOR THE SAN JOAQUIN COUNTY DEPARTMENT OF PUBLIC WORKS, MCHENRY-RIVER ROAD EMERGENCY PROJECT (WDID#5B39CR00348), SAN JOAQUIN COUNTY

On 9 March 2021, San Joaquin County Department of Public Works (Applicant) filed a notification requesting coverage under the 9 October 2018 State Water Resources Control Board Clean Water Act Section 401 General Water Quality Certification of the United States Army Corps of Engineers (USACE) Regional General Permit 8 (General Certification Order) for the McHenry-River Road Emergency Project (Project). After review of the notification and the supplemental material submitted by the Applicant, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has determined that the Project qualifies for enrollment under this General Certification Order. The proposed activity will take place in 0.02 acre/40 linear feet of waters of the United States.

The Central Valley Water Board is certifying this Project under United States Army Corps of Engineers Regional General Permit 8, Emergency Repair and Protection Activities, subject to the conditions and the notification requirements described in the Nationwide Permit ("Special Conditions"). This Notice of Applicability is being issued under the General Certification Order pursuant to Section 3838 of the California Code of Regulations.

A copy of the [General Certification Order](https://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/generalorders/order_rgp8.pdf) (https://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/generalorders/order_rgp8.pdf) can be found on the State Water Resources Control Board's General Orders webpage and is enclosed.

The Project must proceed in accordance with the requirements contained in this Notice of Applicability and General Certification Order. The Project is described in the notification form requesting coverage under the General Certification Order, dated 9 March 2021, and supplementary information (Application Package). Coverage under the General Certification Order is no longer valid if the Project (as described) is modified.

PROJECT DESCRIPTION:

The McHenry-River Road Emergency Project (Project) consists of repairing a portion of the north embankment of the Stanislaus River south of River Road and east of McHenry Avenue, near Escalon. Impounded water from an orchard was discharged through a pipe underneath River Road and washed out the roadside swale and embankment below the pipe outlet. Project activities include placing approximately 117 cubic yards of aggregate base rock into the area below the pipe outlet, grading to match adjacent slopes, and hydroseeding the area for erosion control.

The Project will temporarily impact 0.02 acre/40 linear feet of waters of the United States.

PROJECT LOCATION:

The Project is located at the north shore of the Stanislaus River east of the intersection of McHenry Avenue and East River Road.

Latitude: 37.7609207° N and Longitude: 120.99523418° W

PROJECT SCHEDULE:

The approximate timeframe of Project construction is 24 May 2021 through 31 October 2021

APPLICATION FEE RECEIVED:

An application fee of \$2,066.00 was received on 7 May 2021. The fee amount was determined as required by California Code of Regulations, title 23, sections 3833(b)(3) and 2200(a)(3), and was calculated as category H- Emergency Projects authorized by a Water Board General Order (fee code 85) with the dredge and fill fee calculator.

If you have any questions regarding this Notice of Applicability, please contact Nicholas White at (916) 464-4856 or Nicholas.White@waterboards.ca.gov.

Original Signed By James Marshall for:

Patrick Pulupa
Executive Officer

Enclosure: Water Quality Order No. 2018-0025-EXEC Clean Water Act Section 401
Water Quality Certification and Order

cc: Distribution List, page 3

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